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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,101	02/20/2002	Tom S. Chiu	US 028012	2879

7590 03/24/2005

Corporate Patent Counsel;  
Philips Electronics North America Corporation  
580 White Plains Road  
Tarrytown, NY 10591

EXAMINER
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SHAW, PELING ANDY

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/081,101

Applicant(s)

CHIU, TOM S.

Examiner

Peling A. Shaw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-12 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 08/04/2003.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Priority***

1. This application has no priority claim made. The filing date is 02/20/2002.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoshen, Gideon et al. (EP 1 231 790 A2), hereinafter referred as Hoshen.

- a. Regarding claim 1, Hoshen disclosed a method of processing content information at a second CE (consumer electronics) device, the method comprising: receiving authorization for the processing by the second CE device of, at least part of, the content information stored at a first CE device, the first CE device coupled to the second CE device via a peer-to-peer network of respective CE devices (column 9, line 8-35).
- b. Regarding claim 2, Hoshen disclosed the method of claim 1, wherein the processing of, at least part of, the content information comprises at least one of: receiving the content information from the first CE device at the second CE device (column 9, line

26-35; column 1, line 13-25); storing the content information at the second CE device (column 1, line 13-25); and playing out the content information from the second CE device (column 1, line 13-25).

- c. Regarding claim 3, Hoshen disclosed the method of claim 1, wherein the authorization is requested from one of: an entitlement manager remote to the second CE device; and a conditional access module local to the second CE device (column 6, line 53-column 7, line 9; column 10, line 42-column 11, line 29; column 12, line 17-54).
- d. Regarding claim 4, Hoshen disclosed the method of claim 1, wherein the network comprises at least one hub (column 14, line 1-42).
- e. Regarding claim 5, Hoshen disclosed the method of claim 1, wherein the content information originates from an MSO (Media Service Operator) (column 8, line 32-column 9, line 7).
- f. Regarding claim 6, Hoshen disclosed a second CE device (column 12, line 17-54) for use in a method of processing content information at the second CE (consumer electronics) device, the method comprising receiving authorization for processing by the second device of, at least part of, the content information stored at a first CE device, the first CE device coupled to the second CE device via a peer-to-peer network of respective CE devices (column 9, line 8-35); and wherein the second CE device comprises: a storage unit for storing content information that is under control of a conditional access manager (column 1, line 13-25; column 6, line 53-column 7, line 9; column 10, line 42-column 11, line 29; column 12, line 17-54); means for

receiving an authorization from the manager to process the content information (column 9, line 8-35); and means for receiving content information from the first CE device coupled to the second CE device via the peer-to-peer network of respective devices (column 9, line 26-35; column 1, line 13-25).

- g. Regarding claim 7, Hoshen disclosed an EPG (Electronic Program Guide) on first content information available to a second CE device, the EPG comprising: first data on the first content information, the first content information stored at a first CE device, the first CE device being coupled to the second CE device via a peer-to-peer network of respective CE devices (column 9, line 1-7; column 10, line 42-column 11, line 39; column 18, line 50-column 19, line 35).
- h. Regarding claim 8, Hoshen disclosed the EPG of claim 7 also on second content information, the EPG comprising: second data on the second content information, the second content information residing outside the peer-to-peer network (column 9, line 1-7; column 10, line 42-column 11, line 39; column 18, line 50-column 19, line 35).
- i. Regarding claim 9, Hoshen disclosed the EPG of claim 7, wherein the first data is updated upon a change of content information, which is available to the second device, and that is stored at a first CE device (column 9, line 1-7; column 10, line 42-column 11, line 39; column 18, line 50-column 19, line 35).
- j. Regarding claim 10, Hoshen disclosed the EPG of claim 7, wherein the first data comprises data on conditional access (column 6, line 53-column 7, line 9; column 19, line 1-35).

- k. Regarding claim 11, Hoshen disclosed a method of enabling an end-user to select content information, using a first CE device that is part of a peer-to-peer network of CE devices in a data network, the method comprising: giving the end-user an incentive to select content information available at a second CE device in the peer-to-peer network in the data network over content information available from a source, other than one of the CE devices, in the data network (column 1, line 31-37 and 45-55; column 2, line 13-29: bandwidth, subscription fee, failure proof VOD and DVR).
- l. Regarding claim 12, Hoshen disclosed a method of enabling an end-user to share content information, using a first CE device that is part of a peer-to-peer network of CE devices in a data network, the method comprising: giving the end-user an incentive to make content information available to a second CE device in the peer-to-peer network in the data network (column 1, line 31-37 and 45-55; column 2, line 13-29: (as subscriber) bandwidth, subscription fee, failure proof VOD, DVR and maybe free or less charged STB).

Hoshen disclosed all limitations of claims 1-12. Claims 1-12 are rejected under 35 U.S.C. 102(e).

3. Claim 12 is rejected under 35 U.S.C. 102(e) as being anticipated by Jones et al. (US 20020198929 A1), hereinafter referred as Jones.
  - a. Regarding claim 12, Jones disclosed a method of enabling an end-user to share content information, using a first CE device that is part of a peer-to-peer network of CE devices in a data network, the method comprising: giving the end-user an incentive to make content information available to a second CE device in the peer-to-

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peer network in the data network (Fig. 4; column 2, paragraph 0029-column 3, paragraph 0031).

Jones disclosed all limitations of claim 12. Claim 12 is rejected under 35 U.S.C. 102(e).

***Conclusion***


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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